

1. (Twice Amended) An isolated nucleic acid molecule comprising a promoter nucleotide sequence that initiates transcription of an operably linked heterologous nucleic acid sequence in a plant cell wherein said promoter nucleotide sequence has at least 80% identity to 18 sequential nucleotides of the cassava vein mosaic virus (CsVMV) promoter shown in SEQ ID NO 3 (pA).

2. (Three Times Amended) The nucleic acid molecule of claim 1 which comprises a nucleic acid sequence selected from the group consisting of CVP1, CVP2, pA, pB, pC, pD, pE, pΔB, pΔC, pΔD1, pΔD2, pΔD3, pΔDE1, pΔDE2, pΔDE3 and pΔE, having the respective sequences shown in SEQ ID NOs 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, and 17.

8. (Once Amended) A vector comprising a promoter nucleotide sequence that is capable of initiating transcription of an operably linked heterologous nucleic acid sequence in a plant cell wherein said promoter nucleotide sequence has at least 80% identity to 18 sequential nucleotides of the cassava vein mosaic virus (CsVMV) promoter shown in SEQ ID NO 3 (pA) and is operatively linked to a heterologous nucleic acid sequence.

REMARKS

Reconsideration of this application in view of the amendments above and the discussion below is respectfully requested.

I. The Amendments

Claims 1 and 8 are amended to correct an informality in